

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re ARGUIEZ.

Case No. [22-cv-02660-HSG](#)

**ORDER OF DISMISSAL**

On May 3, 2022, the Court received a letter from Plaintiff addressed to Judge Wilken expressing concern about prison conditions, stating that he believed that the mental health department and the California Department of Corrections and Rehabilitation administrative were trying to falsely diagnose him with a mental illness so that they could murder him. Dkt. No. 1. The Court therefore opened a civil rights action under the above-captioned case number and the Clerk of the Court informed Plaintiff that this action was deficient because he had neither (1) filed a complaint on the proper form or (2) paid the \$350 filing fee or filed an application to proceed *in forma pauperis*. Dkt. Nos. 2, 3. The Clerk of the Court informed Plaintiff that he had twenty-eight days to correct these deficiencies or the action would be dismissed. *Id.*

On May 20, 2022, the Court received a letter from Plaintiff, stating that he did not intend to open a civil rights action and merely wanted to inform Judge Wilken of his situation and that he needed a federal investigation into his allegation.<sup>1</sup> Because it appears that Plaintiff did not seek to


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<sup>1</sup> Plaintiff states that he sought to inform Judge Wilken of his situation because she is “the ADA Judge overseeing CDCR.” Dkt. No. 6 at 1. The Court presumes that Plaintiff is referring to C No. 94-cv-2307 CW, *Plata v. Armstrong*. If Plaintiff is seeking relief related to *Plata*, he should file his letter in *Plata*.

bring a new action regarding the issues raised in his May 3, 2022, letter to the Court,<sup>2</sup> the Clerk of the Court is directed to administratively close this action as opened in error. Because the action was opened in error, no filing fee is due.

**IT IS SO ORDERED.**

Dated: 6/17/2022

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge

United States District Court  
Northern District of California

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<sup>2</sup> The Court may only act on matters that are formally before it in a pending case. With the administrative closure of this case, no action can be taken with respect to the allegations made in Plaintiff's May 3, 2022 letter.